

REMARKS/ARGUMENTS

Claims 1 through 3, 5 through 7, and 14 through 18 are pending in the present application. Claims 8, 10, and 19 through 32 are withdrawn from consideration. Claim 1 is independent. Claims 2 through 3, and 5 through 7 depend from claim 1. Claim 14 is independent. Claims 15 through 18 depend from claim 14. Claim 4 has been cancelled.

Applicant states that the amendment to the claims do not raise any new issues that require further consideration and/or search, and simply are made to more particularly and distinctly claim patentable subject matter of the application. Applicant states that it is not proper for the Examiner to simply not enter this amendment, as no further searching is needed, no new issues are raised by the amendment, or by stating that the amended claims do not simplify the issues for appeal.

In the Action, claims 1 through 4, and 7 are rejected under U.S. Patent No. 3,797,109 to Yamada et al. ("Yamada"). Applicant respectfully traverses this rejection on the grounds that Yamada neither expressly nor inherently discloses all of the elements set forth in present independent claim 1. Claim 4 has been cancelled from the application and thus the rejection of the claim has been rendered moot.

Claim 1 provides for a hair clipper that has a clipper head having a cutting assembly and a handle having a longitudinal axis. The hair clipper also has a head connector for connecting the clipper head and the handle so that the clipper head pivots about an axis of rotation that is perpendicular to the

longitudinal axis of the handle and offset from the cutting assembly.

The hair clipper also has a flat lever surface. The flat lever surface is located on a side of the axis of rotation and opposite the cutting assembly. The clipper head is selectively positioned in any one of a number of preset pivot positions by application of a force to a surface located on a side of the axis of rotation opposite the cutting assembly. The flat lever surface enables easy rotation of the clipper head. Claim 1 also provides for a clipper head with a first gear having a plurality of first teeth, and a head connector with a second gear. The second gear has a plurality of second teeth. The first gear selectively meshes with said second gear at a plurality of different points. The first gear meshes with the second gear to hold the clipper head at the plurality of preset pivot positions during clipping.

Yamada discloses a shaver. The shaver has a body with a first arm and a second arm. A first bolt and a second bolt connects each of the first arm and the second arm to a shaving head that is rockably supported therebetween.

The shaving head has a blade. This allows the user to adjust the shaving head in a rockable manner. This ensures that shaving is made in a comfortable position while keeping a surface of the blade in close contact with the skin. The surface underneath the shaving head between the shaving head and handle has a number of grooves and is not flat.

Yamada also discloses that the shaver head has a number of apertures formed in a circular pattern shown as reference

numeral 12b. On the mating body of the shaver, the body has a clicking ball that moves and rests in the apertures and moves from one aperture to the next. In this manner, the shaver head performs a stepwise rotation of the head or stepwise rotation at three different positions. (See column 3, line 5).

Yamada does not disclose or suggest any clipper head with a first gear having a plurality of first teeth, and a head connector with a second gear having a plurality of second teeth, let alone that the first gear selectively meshes with the second gear at a plurality of different points. Yamada also does not disclose or suggest any first gear meshing with the second gear to hold the clipper head at the plurality of preset pivot positions during clipping. Reconsideration and withdrawal of the rejection of claim 1 are respectfully requested. Claims 2 through 3, and 7 are also patentable over Yamada as these claims depend from claim 1. Reconsideration and withdrawal of the rejection of dependent claim 2 through 3, and 7 are requested.

In the Action, claims 1 through 4, 7, and 14 through 16 are rejected under 35 U.S.C. § 103(a) as being obvious over Yamada. In response, applicant submits that the cited and relied upon Yamada does not support a prima facie rejection of obviousness under 35 U.S.C. § 103(a).

Applicant submits that Yamada alone or in combination with that which one of ordinary skill would allegedly know neither discloses nor suggests applicant's claimed invention. Applicant respectfully traverses this rejection on the grounds that there is no disclosure, suggestion or motivation in the reference for the modification argued by the Office, and that Yamada does not render applicant's claimed invention obvious.

Claim 1 discloses a clipper head with a first gear having a plurality of first teeth, and a head connector with a second gear. The second gear has a plurality of second teeth. The first gear selectively meshes with the second gear at a plurality of different points. The first gear meshes with the second gear to hold the clipper head at the plurality of preset pivot positions during clipping.

As mentioned, Yamada discloses a shaver head with a number of apertures or holes that are formed in a circular pattern (reference numeral 12b of Fig. 5). On the mating body of the shaver, the body has a clicking ball that moves and rests from one aperture to the next. In this manner, the shaver head performs a stepwise rotation of the head or a rotation at three different positions. (See column 3, line 5).

Yamada does not disclose or suggest any clipper head with a first gear having a plurality of first teeth, and a head connector with any second gear, let alone with second teeth. Yamada also does not disclose or suggest any first gear selectively meshing with a second gear at a plurality of different points, let alone to hold the clipper head at the plurality of preset pivot positions during clipping.

One skilled in the art would not modify Yamada as claimed because Yamada provides another motivation other than that is claimed. In contrast, Yamada motivates one skilled in the art that ". . . three holes 12a [are] sufficient". See column 3, lines 5 through 6. One after being taught that three holes are sufficient would not alter the shaver as claimed, but instead

would maintain this fixed body with a stepwise clicking ball hole arrangement that moves from one aperture to the next.

Moreover, Yamada discloses at column 1, line 30 through 32, "[s]till another object of the present invention is to provide an electric shaver in which the arrangement for bearing the shaving head whose setting angle is adjustable is very simple". Still further, Yamada discloses at column 2, lines 37 through 40, that the "shaving head will be clickingly stably set at stepwise predetermined angles". Yamada does not disclose or suggest any gears let alone to hold the clipper head at a number of plurality of preset pivot positions during clipping but instead provides for a stepwise or non-gear motivation. Reconsideration and withdrawal of the rejection of claim 1 are respectfully requested. Claims 2 through 3, and 7 are also patentable for at least the reasons discussed above for claim 1.

Claim 14 discloses a hair clipper that has a clipper head with pivot points positioned on opposite sides of the head and define a pivot axis. The clipper has a stationary blade having teeth, and a reciprocating blade having teeth. The teeth of the stationary blade are substantially parallel to the teeth of the reciprocating blade and form a cutting edge.

The hair clipper also has a handle with a longitudinal axis and a pair of support arms with each support arm being pivotally connected to a respective one of the pivot points. The hair clipper also has a motor and a drive system for reciprocating the reciprocating blade such that hair positioned within the teeth of the stationary blade are cut by the cutting edge.

The clipper head has a flat lever surface and the flat lever surface is located between the cutting edge, and an end of the handle. The cutting edge is located on the head at a distal position from the pivot axis and the flat lever surface facilitates easy pivoting of the clipper head.

Yamada does not disclose or suggest any flat lever surface located between the cutting edge, and an end of the handle with the cutting edge located on the head at a distal position from the pivot axis, let alone any flat lever surface to facilitate easy pivoting of the clipper head. Yamada clearly does not have any such easy pivoting as claimed but instead has a clicking ball arrangement that abruptly moves from a first to a second to a third position in step wise fashion. Reconsideration and withdrawal of the rejection of claim 14 are respectfully requested. Claims 15 through 16 depend from claim 14 and are patentable for at least the reasons discussed above for claim 14.

In the Action, claims 1 through 7 and 14 through 18 are rejected under 35 U.S.C. § 103(a) as being obvious over Yamada in view of U.S. Patent No. 5,093,991 to Hendrickson (hereinafter "Hendrickson").

In response, applicant submits that the cited and relied upon Yamada and Hendrickson do not support a prima facie rejection of obviousness under 35 U.S.C. § 103(a). Applicant submits that Yamada alone or in combination with Hendrickson neither discloses nor suggests applicant's claimed invention. Applicant respectfully traverses this rejection on the grounds that there is no disclosure, suggestion or motivation in either reference for the modification argued by the Office, and that

Yamada, Hendrickson, and the combination thereof, even if technically feasible, which is not admitted as possible, do not render applicant's claimed invention obvious.

Hendrickson discloses an adjustment safety razor. The safety razor has a handle connected to a shaving razor assembly. The safety razor also has a rearward biasing device that is a disc spring. The rearward biasing device that allows the shaving razor assembly to move or rotate in a circular manner around an axis of the handle or in a parallel manner relative to the longitudinal axis of the handle.

Yamada, Hendrickson and the combination thereof do not disclose or suggest any hair clipper with a head connector for connecting a clipper head and the handle so that the clipper head pivots about an axis of rotation that is perpendicular to the longitudinal axis of the handle and offset from the cutting assembly, let alone having any flat lever surface located on a side of the axis of rotation and opposite the cutting assembly with the flat lever surface enabling easy rotation of the clipper head.

Yamada, Hendrickson and the combination thereof do not disclose or suggest any clipper head with a first gear having a plurality of first teeth and a head connector with a second gear and a plurality of second teeth, let alone that the first gear selectively meshes with the second gear at a plurality of different points to hold the clipper head at the plurality of preset pivot positions during clipping. Reconsideration and withdrawal of the rejection of claim 1 are respectfully requested. Claims 2 through 3, and 5 through 7 are also patentable over Yamada, Hendrickson, and the combination thereof

as these claims depend from claim 1. Reconsideration and withdrawal of the rejection of dependent claims 2 through 3, and 5 through 7 are respectfully requested.

Claim 14 discloses a hair clipper with a clipper head having pivot points positioned on opposite sides of the head defining a pivot axis, a stationary blade having teeth, and a reciprocating blade having teeth. The teeth of the stationary blade are substantially parallel to the teeth of the reciprocating blade and form a cutting edge.

The hair clipper also has a handle having a longitudinal axis, and a pair of support arms. Each support arm is pivotally connected to a respective one of the pivot points. The hair clipper also has a motor and a drive system for reciprocating the reciprocating blade such that hair positioned within the teeth of the stationary blade are cut by the cutting edge. The clipper head has a flat lever surface with the flat lever surface located between the cutting edge, and an end of the handle. The cutting edge is located on the head at a distal position from the pivot axis, and the flat lever surface facilitates easy pivoting of the clipper head.

The Office states that it is obvious to cite or substitute equivalents that are known for having the same purpose. The Office is completely incorrect and these are not equivalents. Yamada has a step wise rotation clicking ball arrangement with a groove surface for rotation. Hendrickson's disclosure also does not disclose any flat lever surface.

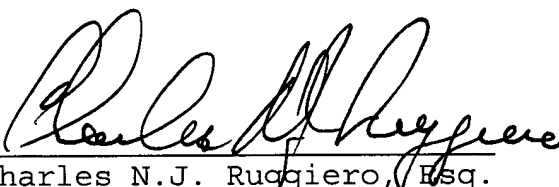
The cited references and the combination of the same do not disclose or suggest any clipper head having a flat lever surface

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with the flat lever surface located between the cutting edge, and an end of the handle, or that the flat lever surface facilitates easy pivoting of the clipper head. Hendrickson's disclosure also does not teach any easy pivoting. Reconsideration and withdrawal of the rejection of claim 14 are respectfully requested. Claims 15 through 18 are also patentable over the cited references as these claims depend from claim 14.

It is respectfully submitted that the present pending claims are clearly patentable over each cited reference and the cited combinations of the same. Thus, this application is in condition for allowance. Accordingly, reconsideration and withdrawal of all rejections of the claims are respectfully requested.

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